IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.227 OF 2007

Rakesh Chandanmal Mehta ..Petitioner

Vs.

The Union of India & Ors. ..Respondents

Mr.H.R.Shetty for the Petitioner.
Mr.Y.R.Mishra with Mr.Y.S.Bhate for the Respondents.
Mr.K.R.Belosey, A.G.P. for Respondent No.4

CORAM :- DR.S.RADHAKRISHNAN &
J.P.DEVADHAR,JJ.

DATE : 7TH MARCH, 2007

P.C.

1. Rule. Rule is made returnable forthwith. The learned Counsel for the Respondents waive service. By consent, taken up for hearing.

2. By this Petition, the Petitioner is challenging the Order-in-Original dated 1st September,2003 passed by the Joint Director General of Foreign Trade as well as the Order-in-Original dated 24th March,2005 passed by the Additional Director General of Foreign Trade. The main grievance of the Petitioner is that while passing both the above orders, the Petitioner could not produce the relevant original documents.

3. The learned Counsel for the Respondents now fairly concedes that the Petitioner has now produced the relevant original documents. In view of the same, in the larger interest of justice, we quash and set aside both the orders dated 1st September,2003 as well as the order dated 24th March,2005 and remand back the matter to the Joint Director General of Foreign Trade to hear the Petitioner after affording a fair opportunity of personal hearing and consider the matter afresh in the light of the aforesaid original documents. Petition stands disposed of accordingly.

(J.P.DEVADHAR,J.) **(DR.S.RADHAKRISHNAN,J.)**